

### **REMARKS**

Claims 1, 3-16 and 19-27, as amended herein, are currently pending in the present application. Claims 1, 3-16, 19-22 and 24-27 are rejected. Claim 23 has been allowed. No claims have been amended. Claims 2 and 17-18 were previously cancelled without prejudice. Claim 28 have been added.

### **CLAIM REJECTIONS – 35 U.S.C. § 102**

Claims 1, 3-16, 19-22, and 24-27 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Bergholz (US Patent No. 4,479,621).

A section 102 rejection is proper only if each and every element as set forth in the claim is found-i.e., the prior art must teach every aspect of the claim. See *Verdegall Bros. v. Oil Co., of California*. 918 F.2d 628,631 (Fed. Cir. 1987; see also MPEP § 2131).

As for independent claims 1, 16, 20 and 24, the Examiner alleges that Bergholz teaches each and every element of the present invention, Applicants respectfully disagree. For example, claim 1 recites a combination including, among other things, "each outer edge [of the deck sections] being directly and fixedly connected to a respective intermediate element." The Bergholz reference does not teach this feature of claim 1.

For example, on page 2 of the Office Action the Examiner alleges that the features 24+46+20 or 17+43+21 are the intermediate elements, however, as shown in FIG. 8 and FIG. 9, none of these features are directly and fixedly connect to the outer edge of the deck sections. Rather as shown in FIGS. 8 and 9, feature 20 and 45 are pivotally connected to feature 43 and 30. In fact, the specification refers to a "hinge

joint" see col. 6, lines 47-64. Thus, the features of Bergholz are not fixedly connected as claimed.

The Applicant notes that the independent claims 16, 20, 24, 26, 27 and 28 recite language similar to that discussed and quoted above in respect to claim 1, therefore independent claims 16, 20, 24, 26, 27 and 28 and their corresponding dependent claims are patentable for at least the same reasons as set forth above with respect to independent claim 1.

Dependent claims 3-15, 19, 21-22 and 25 are all ultimately dependent upon at least one of the above cited independent claims. Applicants also submit that the cited reference fails to teach or suggest the features recited by the independent claims (as noted above), and, consequently, that these claims are independently allowable.

Furthermore, new claim 28 recites at least two distinct connections between the decks sections and the skin of the aircraft. First, a connection between the transverse beams and the ribs of the aircraft. The second connection is via the intermediate elements to the outerskin of the aircraft. Bergholz does not describe the two connections as set forth in claim 28.

As such, the Applicant respectfully request the rejection be removed and the pending claims be allowed.

#### **Allowable Subject Matter**

The Applicant thanks the Examiner for finding the allowable subject matter in and allowing claim 23.

**CONCLUSION**

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to our Docket No. 59482.21840.

In view of the foregoing remarks, Applicants respectfully request that all the objections and rejections to the claims be removed and that the claims pass to allowance. If, for any reason, the Examiner disagrees, please call the undersigned at 202-861-1655 in an effort to resolve any matter still outstanding before issuing another action. The undersigned is confident that any issue which might remain can readily be worked out by telephone.

Respectfully submitted,

**BAKER & HOSTETLER LLP**



P. Alan Larson  
Registration No. 53,184

Date: **August 12, 2011**  
Washington Square, Suite 1100  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5304  
Telephone: 202-861-1500  
Facsimile: 202-861-1783